

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	CAUSE NO.: 1-05-CR-35-TS
)	
KENNETH L. RICHARDS)	

OPINION and ORDER

Before the Court is the Defendant's Motion to Withdraw as Court Appointed Counsel [DE 114], filed March 28, 2008. The motion asks the Court to allow Thomas O'Malley to withdraw from his representation of the Defendant for purposes of the Defendant's request for a reduced sentence under the amended crack cocaine sentencing guidelines because counsel believes he has a conflict of interest in further representing the Defendant in light of the Defendant's *pro se* motion to vacate under 28 U.S.C. § 2255 [DE 111].

The Court being duly advised GRANTS the Motion [DE 114]. Attorney O'Malley is allowed to withdraw as attorney of record in this cause of action.

So ORDERED on May 16, 2008.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT